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Thesis

METHODS OF LABOR REFORM
(Among Wage-earning Women)

Submitted by

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Women - Employment

Introductory Analysis

It is my main purpose in this thesis to compare the three present-day methods of reform for labor conditions among the working women of the United States. These three methods are: 1. direct legislation; 2. indirect legislation, or the minimum wage board system; and 3. trade unionism. This comparison is made with a view to determining what method or methods of reform will serve best to solve the social and economic problems involved in the conditions of labor of working women at the present time. The subject naturally devides itself into four main parts as follows:-

1. A brief survey of present conditions of labor among working women in order to show the need of labor reform.

11. A justification of labor reform or an examination of the social and economic effects of the conditions under which women work, their hours of labor, and their wages.

111. An examination of the operation of the three methods of reform, - namely (1) direct legislation, (2) indirect legislation or the minimum wage board system, and (3) trade unionism.

1V. A comparison of the advantages of each of these three methods.

1. No detailed account of present labor conditions among working women is attempted in this thesis. The United States Bureau of Labor has covered this ground completely in its nineteen volume report of 1912 on "The Condition of Women and

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Child Laborers in the United States". I have based my brief survey of labor conditions in the United States on Annie MacLean's descriptive treatise on "Wage-Earning Women". The investigations which supplied the material for this book were made in 1907 and 1908 and the statistics apply to these years. Of course the figures are not accurate for the present time, but indeed, it is impossible to publish accurate statistics of labor at any given time since there are bound to be changes between the times of gathering data and of publication. The essential point is that the conditions revealed by the statistics in "Wage-Earning Women" have changed but little in the last few years. The statistics given in the report of the United States Bureau of Labor I found too detailed to be suitable for a brief survey of labor conditions. The purpose of this survey is simply to reveal some of the facts of low wages, long hours of labor, and unhealthful conditions of labor among a great army of women who are obliged to earn their living.

II. The justification of labor reform on a large scale is the social and economic welfare of the nation. The physical and, to some degree, the moral well-being of a nation depends largely upon the health of its women. Certain characteristics of modern industry such as increased speed and minute division of labor make work in factories especially trying and reform imperative. This part of the thesis aims to show, then, that safer and more sanitary conditions of work, shorter and more regular hours of labor, and higher wages make for the social well-being of the country and are not incompatible with its economic welfare.

111. The third division of the thesis presents brief historical sketches of the operation of the three methods of reform:- (1) direct legislation, (2) indirect legislation or the minimum wage board system, (3) trade unionism. These sketches aim to bring out the difficulties and advantages inherent in each method of reform.

1V. In the last division of the thesis, the difficulties and advantages of these three methods of reform are compared and conclusions are drawn in regard to their relative value.

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Methods of Labor Reform.

1. A Survey of Labor Conditions among Wage-Earning Women.

The welfare of working women depends on three factors of labor, namely:- (1) comfortable and decent conditions of labor whether in factory or home, (2) hours of labor, or the length of the working day and regularity and continuity of employment, and (3) wages.

No detailed account of the wages, hours of work, and conditions of labor of working women in the United States will be given in this paper. However, a brief survey of working women in representative industries and localities is desirable in order to reveal some existing conditions. The following outline is given with reference to geographical divisions of the country.

In New England women are employed in greatest numbers in the following industries:- (1) cotton manufacture, (2) shoe making and (3) paper manufacture.

(A). Cotton Manufacture. In the study of women workers, the manufacture of cotton textiles takes a leading rank, for a large proportion of working women are employed in this industry. In 1905, the proportion was 1/8. Fall River among New England cities offers perhaps the best field of investigation of cotton manufacturing. Here there were in 1907-8 one hundred mills under forty-two corporations, all but three of them being cotton mills. Almost 1/6 of the population consisted of wage-earning women sixteen years and over. Women are still to be found in practically every stage of manufacturing.

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Factory conditions in many instances are deplorable. The cotton fluff in the air of the cord rooms, the excessive heat in the spinning rooms generated by rapidly revolving spindles and the hot dampness of the weaving rooms are all trying conditions physically. In the average mill a temperature of one hundred and twenty degrees in some rooms is not uncommon. Artificial and bad light is common. Usually there are no dressing rooms and no accomodations for retirement. Seats are not provided for all workers and, where provided, are sometimes attached to the looms which arrangement results in nerve-racking vibrations. The working day was in 1907 ten and one-half hours long with five and one-half hours on Saturday. This is undoubtedly changed somewhat by the Massachusetts law of January 1, 1912, which reduced the hours of labor of women to fifty-four a week. Wages vary from $4.75 to $18.00 a week, which is paid only to experienced weavers. The number of women receiving high wages is much less than those receiving low wages.

B. Shoe Making. The shoe making industry is of a seasonal character. It is said that all the shoes required for a year could be manufactured in nine months. In the United States about 36,490 women are employed in the shoe making business, and about 1/3 of these are in Lynn. Women are employed chiefly in stitching rooms. Factory conditions are fair. Sanitary arrangements barely fulfill the requirements of the law. Freight elevators only are supplied. In some factories, employees may use these, in some they may not. The factories are many of them dark and much work is done by artificial light. When gas is used the air is quickly vitiated, a condition which tends to endanger the health of the

workers.

In addition to the seasonal character of the whole industry, there is a secondary fluctuation in work periods in different departments. The piece work system prevails and is popular in spite of the nervous strain. As in all piece work, there is wide variation in the labor of individual workers, so it is difficult to secure any significant average of wages. However, the average wage for women and girls is under $8.00 a week, and for fifty-two weeks, nearer $6.00. The minimum and maximum are respectively about $4.00 and $20.00. Wages for different kinds and different grades of work vary greatly in one shop and from shop to shop.

C. Paper Making. In 1900, there were 8,709 women at work in the United States as paper and pulp-mill operatives. About three thousand of these were employed in the twenty-eight mills of Holyoke. Women's tasks are chiefly in the first and last stages in the rag room and the finishing room. Factory conditions vary with the process. The finishing processes are clean and well liked. The cotton rags which are sorted are some of them clean and some filthy. The rags are cut and chopped by machines, which process fills the air with dust and lint, which are bad for the lungs. Married women chiefly are employed and work seven and one-half hours a day. The work is done almost entirely by the piece and wages vary with the process and skill of the operative. Beginners receive from $3.50 to $6.00 a week, while machine sewers, who are highest paid receive from $10.00 to $12.00 a week.

In all three of these trades women are unduly fatigued by

their labor because of the neglect of employers in regard to the installation of improvements. Lack of interest and weariness on the part of the workers and the barrier of foreign tongues prevent rapid extension of educational work which might enable the workers to help themselves. 28% of all the women interviewed for Miss MacLean's report earned less than $7.00 a week, with a minimum of $2.50 when work was fairly regular. An overwhelming majority lived at home but of these 92% contributed to family support. It was found that women were working from compulsion, that the girls working for pin money were a negligible factor.

In New York are to be found all phases of the life of wage-earning women. New York City furnishes 8% of the self supporting women in the entire country. Representative industries to be noted here are the clothing trade, the manufacture of curtains, ribbons, and twine, and the paper goods industry.

A. Clothing Trade. New York controls the clothing trade of this country and employs in this industry about 120,000 workers of which 70,000 are women. The Jews control the industry. This trade is like the other great manufacturing industries in its extensive sub-division of labor. Wages are usually paid by the piece work and vary somewhat with the season and a great deal with the worker's skill and swiftness. $3.00 is the wage paid to beginners when paid by the week. The supply of work is not constant. The necessity of speed in order to earn much money is a severe nervous strain. The work day is nine and one-half hours or ten hours long.

B. Curtains, ribbons, and twine:- In this industry the factories vary from good to bad. Wages are low. There is need of fairer treatment, shorter hours, better surroundings.

C. Paper Goods. In the paper box making industries, the factories are both good and bad. The hours are generally from eight to five-thirty or six with one-half an hour for lunch. The wages vary from $4.00 to $20.00 a week, with some slack seasons. Makers of paper novelties are very poorly paid. Few earn more than five dollars a week.

In spite of the multiplicity of charitable organizations in New York, hundreds of women workers know nothing of them and hundreds know no amusement but questionable dance halls. Many know nothing of the possibilities of labor organization, and their ignorance and dull despair make it difficult to aid them.

Of the industries which employ women in large numbers in Chicago, two are foremost in importance, the clothing trade and department stores.

A. Clothing Trade. Many foreigners, chiefly Poles, Bohemians, and Scandinavians, are employed in the clothing trade in Chicago. Immigrants are usually ignorant and dull and sullenly resent hard conditions. Piece work is the general rule. Weekly wages range from two dollars and fifty cents to twelve dollars with an average in the neighborhood of seven dollars. The workers are obliged often to furnish needles and thread and to buy these from the company for which they are working. The work is physically trying because of the long day, the strain of speeding and overtime work in the busy season.

B. Department Stores. Work in department stores seems to be attractive to working girls in spite of low pay. Conditions vary in different stores. The majority of workers get nearer three dollars a week than thirty dollars. Wages vary from a flat weekly rate to a minimum plus a regular commission on sales, or to a maximum plus a small commission for special sales. The hours are long, from eight to six or half past six.

In the New Jersey towns, the silk manufacturing industry and the potteries are of special interest.

A. Silk Manufacturing. Wages except for the weavers are low. Even including the most highly paid, the average is well below seven dollars a week when employment is fairly regular. In very many cases wages are too low to permit a girl to be self-supporting and self-respecting. The workers are young women who must take care of themselves, and who frequently help to bear family burdens as well.

B. Potteries. In this industry there are certain unhealthful conditions to be endured such as constant changes of temperature, dust, and standing in wet clay throughout the day. Wages vary from four dollars and one-half to twelve dollars a week with an average little over six dollars even when there is no slack season.

It is generally supposed that wages are higher in the West than in the East yet even there are to be found women working for exceedingly low wages.

A. Clothing. The conditions of employment in the clothing industry in the west are better than those in the east. Piece

work prevails but the pressure is not so severe and there is more freedom with regard to afternoon hours, that is, girls on piece work are allowed to leave the factory when their work is done. Wages are on the whole better.

B. Button Making. The work of grinding buttons is unhealthy because of the dust from the grinding machines. The highest wages are satisfactory, the lowest are inadequate, six dollars or less being the wage for an unskilled girl.

C. Breweries. Bottle washing and labelling are the kinds of work usually performed by women. The highest wages received by any women except a forewoman is one dollar and ten cents a day. Men get double time payment for overtime work because they belong to unions but women do not secure such additional payment.

D. Thread Workers. The long hours and noise of machinery in this industry are a physical strain. The wages of the majority are between five dollars and fifty cents and seven dollars and fifty cents per week.

E. Women's Clothing. In some factories sanitary conditions are bad. The average amount earned in clothing shops is between six dollars and seven dollars a week. Recreational facilities are sadly lacking in most of the smaller towns.

It is evident even from this brief survey of the labor of working women that deplorable conditions exist so far as thousands of individual workers are concerned. To alter these conditions extensive reforms will have to be made. It is necessary to show then, that improved conditions of labor, shorter hours, and higher

wages are not incompatible with the social and economic welfare of the nation.

II

Social and Economic Aspects of Conditions of Labor, Hours of Labor, and Wages.

A. Conditions of Labor.

The social and economic value to a nation of healthy and safe conditions of labor is obvious and seldom contested. Evils exist through the helplessness of great numbers of workers who lack initiative to organize and demand better conditions, the selfish greed and criminal negligence of employers, the ignorance and indifference of the public and consequently of legislators with respect to labor conditions and passage of suitable laws, and the absence of an effective system of factory inspection. Much has been done in some of our states in the way of factory legislation but much remains to be done. More efficient methods of enforcing labor laws should be used. Where laws have been passed compelling safer and healthier conditions, increased expense has been offset by more efficient and willing labor and decrease of the number of accidents.

B. Hours of Labor.

The beneficial effects of shorter hours of labor for women have not always been readily granted, especially on the economic side of the question. It has been argued that shortening the work day would cause hardship by decreasing output, increasing cost of production, raising prices and in some instances driving industries out of business.

The main argument for shorter hours of labor for women rests

II

Social and Economic Aspects of Conditions of Labor,
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A. Conditions of Labor.

upon the close connection between the development and physical well-being of any race and the health of its women. Miss Goldmark of the Russell Sage Foundation in her recent book "Fatigue and Efficiency" has emphasized some facts regarding the children of women in factories. In the two cotton mill towns of Fall River and Biddeford there is an abnormally high death rate of infants. Racial deterioration as shown by abnormal children is most common in districts where women labor under hard conditions. In countries where military service is compulsory, the proportion of men rejected for physical unfitness is higher in industrial communities. Degeneration of any large portion of population inevitably lowers a community physically, mentally, and morally. When the health of women has been injured by long hours of work, deterioration is handed down to succeeding generations. Overwork of future mothers attacks the welfare of the nation.

Certain characteristics of modern industry make shorter hours especially imperative. These are the introduction of more complex and swifter machinery, the piece work system, and the minute division and subdivision of labor. Here we have three chief causes of fatigue, namely:- speed, noise, and monotony. The tendency in modern industry is to speed up on machines. The result is greater strain on the worker. The dependence of earnings on skill and speed in piece work causes undue physical strain. The fatigue of noise is due to its influence on the faculty of attention. Noise of machinery necessitates greater exertion of attention, thereby fatigue is hastened. Extreme specialization is the order of modern

manufacturing. This leads to great individual skill in narrow lines of work but it is fearfully monotonous. The monotony of so-called light and easy work may be more damaging to health than heavier and more varied work.

Another source of extreme fatigue is overtime work in certain trades and certain seasons. Work continued after fatigue has set in makes necessary just so much more time for recuperation. In theory, overtime work is offset by a slack period, but physical exhaustion is not so readily cured and slack work usually means slack pay with consequent loss of opportunity for recuperation. Health srings from a maximum power of resistance to disease to which a lowered vitality readily succumbs. Long hours have a bad effect also upon morals. Physical debility and laxity of the moral fibre are often coexistent.

Fatigue is largely responsible for industrial accidents. Where statistics have been collected of the hours at which accidents occur in factories it has been found that the accidents increase progressively up to a certain time in the morning and again in the afternoon work. The greatest number of accidents takes place between eleven and twelve in the morning and five and six in the afternoon.

Such being the conditions of modern industry, which cannot be changed without decreasing output and increasing the cost of production, the only permanent safeguard to the health of working women and consequently to a large percentage of the race is reduction and regulation of the hours of labor. Such a course is not

inconsistent with the economic welfare of the country. The universal testimony of manufacturing countries tends to prove that regulation of the working day acts favorably on output. With long hours output declines and there is a large amount of imperfect work and consequent waste; with short hours, output frequently increases. Heightened efficiency more than balances loss of time, and there is improvement in the quality of the work as well. Wherever the employment of women has been prohibited for more than a certain number of hours a day, a more equal distribution of work throughout the year has followed. One large shoe manufacturing company by demanding that orders for goods be in on specified dates has been able to so arrange the work as to give regular employment the entire year and to avoid the strain of rush seasons and the hardship of periods of no work. It is not at all impossible for customers to adapt themselves to the requirements of shorter and more regular hours of labor. The regulation of the working day has acted as a stimulus to employers to improve processes of manufacture. Perfection of old methods and invention of new machinery have followed the introduction of shorter hours.

Another argument for the safe guarding of the health of women and indeed of all workers is the fact that the state has invested a considerable amount in the life and education of every boy and girl by the time he or she reaches the working age. If that life is allowed to perish or become a public burden through neglect without making return for the amount invested, the state

has made a losing investment.

Shorter hours make possible improvements in home life and the tone of a whole community may be thereby raised. Whenever sufficient time for observation has elapsed since the establishment of a shorter working day, the succeeding generation has shown extraordinary improvement in physique and morals.

C. Wages.

It has been shown that the solution of problems involving factory conditions and hours of labor is the establishment of some limiting standard by which employers must govern themselves. The natural remedy, then, for evils resulting from excessively low wages is the establishment of a minimum wage for employees, that is, a wage which is the least amount an employer may pay and which is determined by the least cost of living. The justification for any regulation of wages is the fact that, contrary to the old economic theory, the labor contract is not a free and equal contract. The free sale of the commodity, labor, is hindered by the fact that labor is inseparably connected with the laborer's very existence, hence it may not always be possible for the laborer to seek the best market. Moreover, it is a fact that the lowest rate of wages is not uniformly distributed within an industry. The inequality of wages for the same work in the same industry is evidence of the fact that the rate of wages depends to a large degree upon the personal equation of the employers and upon the helplessness of employees.

The establishment of a minimum wage is a much disputed question

and various arguments have been urged for and against the proposal. One obvious advantage of such a plan is that the better class of employers who do pay a living wage would be protected against the competition of more unscrupulous employers. Another advantage is that a minimum wage would tend to make employers develop the capacity of employees to a higher standard of efficiency and also arrange work to be as little seasonal as possible in order to hold trained employees.

An argument often urged against a minimum wage is that it would tend to level all wages down to the minimum. This seems to me a feeble objection. There is nothing in the establishment of a minimum wage to prevent employers paying wages higher than the minimum for better grade labor or to prevent more skillful laborers from demanding and receiving wages higher than the minimum.

The difficulty of determining what constitutes a minimum living wage has been urged as sufficient reason to abondon the plan. To be sure, it is a difficulty but not, an insurmountable one. Not much has been done as yet in the way of gathering statistics which would throw light on the problem. However, in the tobacco industry in Kentucky there are 47,000 women who earn five dollars and fifty cents a week. Investigation there has shown that six dollars and fifty cents a week is the least upon which a woman can live decently.[1] Miss Bosworth who investigated the subject of

(1)"Woman and the Wage Question" by Jeanne Robert - Review of Reviews, 1912.

a living wage for women workers in Boston for the Women's Industrial Union presents statistics which show that a satisfactory standard, that is:- one which affords a room meeting reasonable requirements, nourishing food, respectable clothing, medical attendance, and incidentals of a simple type,- requires a wage of not less than nine dollars a week.[1] Whatever may be the quibbling over the exact amount which constitutes a living wage it is clear to anyone who knows anything of the wages of working women that there are thousands of women who receive wages which even the most exact must grant are much below decent living wages. Moreover, some of the Australian countries have found it possible to establish a minimum wage which has relieved industrial hardships. England has done the same in regard to at least five industries. The better class of employers and the goverment too, base the wages they pay on some estimate, however rough, of the cost of living.

The establishment of a minimum wage in some states and not in others might be a handicap to manufacturing industries which sell their products in competition with manufacturing industries in states where such limitations do not prevail. Indeed some industries might be driven out of the state. However, it was the opinion of the Massachusetts Commission for the investigation of the Minimum Wage Boards, which reported January 1912, that the industries investigated by them would stand the levelling up of

(1)"Wage Earning Women" - Woeman's Industrial Union of Boston - pp 9 and 10 of the introduction.

wages and that the greater efficiency which would result from more adequate living conditions and the giving preference to more efficient labor would offset the burden to employers of increased wages. It might be possible too, to prevent diminished profits by covering increased expenses in other ways. It must be admitted, though, that to be perfectly just, a minimum wage should be national. But even though it can be shown that because of interstate competition an industry is made less profitable by a minimum wage, this consideration must always be balanced against the general good of living wages, and it must be remembered, too, that the value of any parasitic industry is questionable.

Those who argue against a national minimum wage have two main objections:- first, that some industries would cease to exist and be driven out of the country and second, there would be the burden of the feeble and inefficient, the infirm and the aged, who are not able to earn a living wage.

A national minimum wage does not necessarily involve the destruction of industries carried on by parasitic labor. Such an industry is often exacting from workers more labor force than is replaced by the wages. It owes its existence, then, to subsidized labor which may be considered a kind of bounty. When in a given industry a subsidy is withdrawn it often happens that the industry falls back on another process which, less immediately profitable than the bounty-fed method, proves more advantageous in the long run. Moreover even if prices are raised, it may be that rather than go without the particular commodity produced, the

community will willingly pay more for it. However, it is true that some parasitic industries, those just struggling on the margin, would go under. Yet the mere keeping alive a trade by a bounty does not, of itself, increase the aggregate trade of the country or the area of employment. The effect of a bounty is to divert to a particular industry, capital and labor which would otherwise be devoted to production in other industries, presumably to greater profit, for otherwise the bounty would not have been required. When the bounty is withdrawn, this diversion ceases and the available capital and labor is re-distributed over the nation's industry in a more profitable way or the capital of deceased parasitic industries is used in the production of new articles, If it be argued that there will be no demand for these new articles of production, the answer is still clear. If bounty fed products cease to be exported, commodities heretofore given in exchange cease to be imported and have to be produced at home and a field is thus provided for the capital and labor set free by the destruction of the subsidized industries.

The question next arises what effect the establishment of a minimum wage would have on the workers at present employed in parasitic industries. In any shifting of industry or change of process there are necessary transitional hardships and changes should be brought about gradually. The expansion of self supporting trades would absorb some of the labor set free from parasitic industries. However, it is true that some who had hitherto pick-up a sort of partial livelihood would be without employment. A

minimum wage would undoubtedly define more sharply the class of the unemployable. It would not create this class because we have it always with us. It is true the country would have to make provision in some way for this class of people. This situation might be more an advantage to the country than a disadvantage. Disease and inefficiency are more easily remedied and do not spread so rapidly if isolated. It is better to provide for such people from public funds than to allow them to uderbid the more able bodied workers in the labor market and thereby lower the standard of life. There is the additional argument that higher wages and better conditions of labor would tend steadily to reduce the number of weaklings and degenerates produced annually. The public really makes up a large part of the wage deficit with its various charities. A recent writer on charities (1) says that fifty-two percent of the charitable cases recently investigated were caused by destitution directly or indirectly traceable to calamities the result of under pay, underfeeding, and unhealthful living. With higher wages and better conditions of labor such subsidies would become increasingly unnecessary.

It has been argued that the higher wages caused by the establishment of a minimum standard would attract greater numbers of women into industry and thus endanger the existence of the homes of the nation. That such would be the result is, I think, question-

(1) "Women and the Wage Question" by Jeanne Robert - Review of Reviews, April, 1912.

able and even if this result were probable, it seems to me not so serious an evil as some of the present social conditions which exist as the result of wages below a living wage. Not only the homes but the health and morals of the nation are endangered. Great numbers of women are compelled to support themselves for longer or shorter periods of time before marriage. And even after marriage, many women, through the death or illness of their husbands, or other circumstances, are called upon to be self supporting and in some cases to support others.

In conclusion then, it appears that better conditions of labor, a minimum wage, and shorter and more regular hours are not incompatible with the economic interests of the nation but are rather conducive to its highest welfare. It remains, then, to examine and compare the possible methods of reform whereby these needed industrial changes may be brought about.

111.

An Examination of Possible Methods of Reform.

A. Direct Legislation. - Labor Laws and the Courts.

The progress of labor legislation in the United States has been hampered by questions of the constitutionality of such legislation. Physicians may urge the necessity of shortening the work day, and legislators may even pass laws regulating the hours of labor, yet unless the judges of our courts find such laws to be in harmony with federal and state constitutions, they are declared unconstitutional and are void. The right of the state to lay any restriction on individual freedom is inherent in its police power. This power is of the widest application and has no definite limitation. Professor Freund has said "From the mass of decisions rendered in our courts, it is possible to evolve at least two main attributes or characteristics which differentiate the police power:- it aims directly to secure and promote the public welfare, and it does so by constraint and compulsion". In reviewing labor legislation, therefore, the courts must decide whether a specific law infringes too much on personal liberty or whether it is justifiable in order to protect public health, safety and welfare.

After the Civil War, the fourteenth amendment of the Consti tution was adopted with similar provisions in state constitutions. This amendment declares that "no state shall deprive any person of liberty, life or property without due process of law". From this amendment developed the theory of freedom of contract. Labor

III.

An Examination of Possible Methods of Reform.

A. Direct Legislation. - Labor Laws and the Courts.

was regarded as the laborer's property and any restriction on his work day as ingringement on personal liberty. The fallacy of this theory lies in the fact the employee's so-called "right" to contract for any period of time is purely theoretical. As a matter of fact, a laborer obeys the compulsion of circumstances. The only choice is work or starvation. There is no freedom in the matter. The development of the opinion of the courts away from the freedom of contract theory may be shown in a few typical cases:-

I. The first Ritchie Case:-[1] In 1895 the Illinois Supreme Court declared invalid on eight hour law for women employed in factories on the grounds that the police power of the state did not sanction such interference with the working hours for adult women.

II. Case of Holden vs. Hardy:-[2] Strangely enough, three years later, a law limiting men's hours of labor was sustained in the federal Supreme Court. The law thus declared valid was the Utah law fixing an eight hour day for men employed in mines and smelters. While it is true the court based its favorable decision on the fact that work in mines and smelters was not like ordinary employment, yet more than the single law in dispute was considered. To quote from the decision:-

"The fact that both parties are of full age, and competent to contract, does not necessarily deprive the state of the power to interfere, where the parties do not stand upon an equality or where the public health demands that one party to the contract shall be

(1) (Ritchie vs. People, 155 Ill. 98; 1895)
(2) (169 U. S. 366 (1898))

protected against himself. The whole is no greater than the sum of all the parts, and when the individual health, safety, and welfare are sacrificed or neglected the state must suffer.

111. The Lochner Case:[1]- A law restricting the hours of labor in New York bakeries to ten hours in one day was sustained by the New York Courts and declared unconstitutional by the Supreme Court. In this case the judges could see no danger to public health or health of employees of the long hours of labor.

1V. The Williams Case.[2] In 1907 the highest court of New York declared invalid a law prohibiting the employment of women in factories between nine P. M. and six A. M. The case was decided on the mere technicality that night work is not in itself inherently injurious. The broader implications of the case were ignored,- the facts that night work frequently meant overtime work and that night work was often morally and physically injurious.

V. The Oregon Case.[3] The validity of the Oregon law fixing a ten hour day for women employed in factories and laundries was affirmed by the Oregon courts, and in December, 1907, an appeal was taken to the United States Supreme Court. Mr. Louis D. Brandeis put the issues before the court in a new way. His argument and brief marked a radical departure in the defence of labor laws in that it confined itself to the tangible human elements involved,

(1) (Lockner vs. N. Y., 198 U. S. 45(1905))
(2) (People vs. Williams 189 N. Y. 131 (1907))
(3) (Curt Muller vs. State of Oregon); (Supreme Court, Oct. Term, 1907)

health, welfare, and economic efficiency. The Supreme Court asserted the validity and constitutionality of the law, and declared of the working woman that "her physical nature and the evil effects of overwork upon her and her future children justified legislation to protect her from the greed as well as the passion of men".

VI. The Second Ritchie Case.[1] Fourteen years after the first Ritchie case, a law providing for a ten hours day for women employed in laundries and factories was sustained by the Illinois Supreme Court.

Within two years, the highest courts of Michigan and Louisiana followed suit in asserting the right of their legislatures to limit the hours of labor of working women. These decisions have freed the subject of women's hours of labor from narrow technicalities of the law. The protection of women from overwork is recognized as one of the great issues of any nation, in its effects on health and general welfare. There is no danger now that the progress of labor legislation regulating the hours of work for women will be impeded by questions of constitutionality.

The effect of these decisions has been far reaching. During the first three months of 1911 the three states of California, Washington, and Colorado passed eight hour laws and the states of Missouri and Utah, nine hour laws. Delaware passed a ten hour

(1) (Ritchie vs. Waymon, 244 Ill. 509 (1910))

law which failed to receive the Governor's signature. The three states of California, Missouri and Utah had previously had no laws protecting women from overwork except two laws in regard to work in the mines.

The textile law in Massachusetts is the result of almost forty years of experience and development. It has slowly been made more rigid and more definite. At present, the law prohibits the labor of women in textile mills after six p. m. and before six A. M., or more than ten hours in one day or fifty-four hours in one week. In the South there is inadequate legislation for the protection of women.

One test of the effectiveness of these laws is the presence or absence of exemptions and exceptions for overtime work. Unfortunately in many states protection is removed at the time when most urgently needed. For example, in Louisiana, New York and Oregon, the laws which prohibit the employment of women in stores more than a specific number of hours are totally suspended during the Christmas rush. In six states in the United States where the hours of labor of women are restricted, there are exemptions in the cannery industry where fruit and vegetables must be cared for within a short time of being received. The exemption for the cannery industry is a deplorable one because it marks a departure in United States labor legislation which has usually been for all industries alike, not for special ones, as is the case in England.

Another weakness in United States labor legislation is the almost universal absence of laws forbidding the employment of women after a certain hour at night. Eight states are content to

limit the number of hours work per week but leave the days unrestricted. This permits an employer to lengthen a day's work at will, providing only there is a fixed limit per week. The resulting irregularity of work is a great physical strain for the worker. Moreover such laws are almost impossible to enforce. An inspector visiting a factory on a long work day in the week cannot tell without frequent visits whether or not there are short work days to offset the long. It is impossible to employ the army of inspectors necessary to enforce such laws. The evil of night work for women is not eliminated in states which limit the hours of labor without fixing the closing hour. When we reflect that only the three states of Massachusetts, Nebraska, and Indiana prohibit women's night work after a specific hour, we realize how rudimentary our labor legislation for women still is.. This is in unfavorable contrast to the action of fourteen civilized nations of Europe who have signed an international treaty to abolish night work for women.

In spite of the shortcomings of American legislation regulating the hours of labor for working women, the outlook in this direction is hopeful since the way for further legislation has been cleared by the Supreme Court decision in the Oregon case, and public sentiment is increasingly strong for shortening and regulating the length of the working day for women. As regards legislation for improving the conditions of labor also there are no more serious obstacles in the way than the ignorance and inertia of legislators and the opposition of unscrupulous employers.

The regulation of wages, however, or the establishment of a minimum living wage is a comparatively new question in this country and indeed in other countries. Little has been done in this respect in the United States. In order to secure a basis of judgement in regard to methods whereby a minimum living wage may be established, it is necessary to investigate the experience of those countries where some method has been tried. Victoria in Australia and indeed other divisions of Australia have regulated wages successfully by means of so-called Minimum Wage Boards. England has had a more limited experience with a similar system of Trade Boards. An examination of the Victorian and English systems will serve to illustrate the operation and effectiveness of such boards.

B. The Minimum Wage Board System.

1. The Victorian System.

Minimum Wage Boards have been in operation in Victoria, Australia since 1896. The system may be briefly outlined. At the instance of either employers or employees or of the Minister of Labor, the Legislature may authorize the creation of a Special Board, which is given power to fix a minimum wage for a given trade. On such a board employers and employees are equally represented. These two parties select a non partisan chairman. If they fail to agree, the Minister of Labor then appoints a chairman. The chairman has a casting vote. If the determinations or decisions of the board are accepted by the Minister of Labor they are published in the Goverment Gazette and become law for

that trade; but if the Minister of Labor thinks that a determination may injure the trade in question, he may suspend the determination for six months and then send it back to the board for reconsideration. A court of industrial appeals also is provided to which determinations may be referred. This court has power to amend or annul a determination and its decision is final but it may review its own decisions. The court is instructed to consider whether a determination has been or may be injurious to a trade or may limit employment and if it finds the determination to be of that nature, it makes such alterations as will remove or prevent such effects and at the same time insure a living wage to employees. The law ignores the possibility of cases in which the maintenance of a trade and the payment of a living wage may be incompatible.

The Minimum Wage Board System in Victoria has proven generally acceptable. In 1910, twenty new boards were instituted and at the end of the year ninty-one industries were under the operation of the act, affecting 5,362 factories in which 83,053 workers were employed. Wages have increased. While this may be partly accounted for by the fact that trade in general has improved since 1895, yet it is true that no other trades show such remarkable increases as those granted by the special boards. Increase in wages has not been accompanied in some instances by similar effect in cost or selling price. Mr. Aves in his report for the English Government on the Victorian system states that in some instances cost or selling price has tended in the opposite

direction. The friction in the working of the Victorian wage boards has not been greater than might reasonably have been expected from the fact that administrators attempted first the hardest part of the industrial problem and dealt with the chaotic sweated trades instead of with those which had reached a fair stage of organization where employers and employed were trained to negotiation. The system has not been considered antagonistic by propertied interests, rather it has been courted by better employers as a means of freeing them from the competition of less scrupulous men of their own class. Although these Special Boards are authorized to secure a living wage, in practice they have served rather to formulate common rules for a trade, to establish co-operative relations between employers and employees, and to provide suitable means for the readjustment of wages to changing economic conditions.

11. The English System.

An act providing for the establishment of trade boards in England went into effect January 1, 1910. The act has hardly been in operation long enough to warrant conclusions as to its ultimate success but it was adopted only after careful investigation into the workings of minimum wage regulations both in Australia and New Zealand.

In England the industries to which the system may be applied are named by Parliament. The act, however, may be extended by provisional order of the Board of Trade, subject to subsequent confirmation and continuation by Parliament. Wage boards or

or trade boards, as they are called, have been set up in the following trade:- (a) ready made and wholesale bespoke tailoring, (b) paper box making, (c)machine-made lace and net finishing and mending or darning operations of lace curtain finishing, (d) certain kinds of chain making, (e) coal mining (by Act of 1911).

Each trade board consists of three classes of persons, (a(members (including Chairman) appointed by the Board of Trade (less in number than in either of the other classes), (b) members representing employers, and (c) an equal number of members representing employees.

Where a trade is widely distributed, district committees are appointed for limited areas by the trade board. Before fixing a minimum wage rate, a trade board gives notice of the proposed rate and considers objections put before it within three months. A rate thus fixed has a limited operation usually of six months, during which time less than a minimum wage may be paid if a written contract exists between the parties concerned. After this time, the rate is made universally obligatory by the Board of Trade. These boards may fix general minimum piece rates as well as time rates. These rates may be fixed so as to apply to the whole trade or to any special process, or special area, or special class of workers. A trade board after due notice may cancel or vary rates so fixed and must reconsider any rate if directed to do so by Board of Trade. If a trade board is satisfied that a worker owing to infirmity or physical injury cannot earn the minimum time rate and cannot suitably be put on

piece work, it may grant the worker a permit enabling him to be employed on special terms. Violation of the act renders an employer liable to a fine of not more than 20 pounds.

Many initial difficulties have been encountered in the operation of this act. These have been chiefly due to the ignorance and consequent lack of cooperation of the workers. Attempts at public meetings for explanation of the act have proven failures. The lower a woman's wages are, the more timid she is in regard to any disturbance of her unstable means of livelihood. The more depressed she is, the greater the difficulty to arouse interest in improvement.

While it is true no complete judgement of the English system is possible, yet in two years experience some points in regard to it have become evident.

1. The immediate effect of the trade boards has been to stimulate organization among both employers and workmen.
2. The trade board in each case has considerably increased the average rate of wages. The process has been one of levelling up. A remarkable feature of the sweated trades had been the wide diversity of wages paid for the same work.
3. There has as yet been no signs of dislocation or of diverting a trade in consequence of increase in the cost of production.
4. The system has tended to promote better organization of trade as well as of persons engaged in the trade. For example, means have been devised to avoid the unnecessary expense of any middle women in the lace industry.

5. The trade boards require wider powers. The six month's term of limited operation seems unnecessary and might be left to the discretion of the trade board. The boards might have also the power to settle disputes, to deal with questions of hours, to organize the reserve of casual labor on which trades depend in time of rush, and to promote technical instruction.

6. It is not yet possible to judge the effect on home work, - probably more work will be driven into the factories.

7. As far as the two simple trades, chain making and machine-made lace finishing are concerned, it is claimed the act is an assured success. In the box making and tailoring trades where district committees have been appointed, initial difficulties have been overcome. Other trades are making requests to be included.

111. Minimum Wage Boards in the United States.

Although there is an increasing interest in the question of the establishment of a living wage only few states have taken active measures toward such a plan. Wisconsin and Massachusetts have been foremost in this respect. In wisconsin a commission reported favorably on the establishment of Wage Boards and a commission is now at work on the practical problem of devising an efficient board.

The Massachusetts Commission for the investigation of Minimum Wage Boards reported in January, 1912. The Commission recommended that a permanent commission of three members known as the Minimum Wage Commission be established. The duty of this Commission was to be the investigating of wages paid to women in

any occupation. Such investigation could be made by the Bureau of Statistics at the request of the Commission. If after such investigation, the Commission found wages inadequate in any trade, it was to establish a wage board consisting of at least six employers and six employees and disinterested members less than half the number of other parties. If two-thirds of the members agreed on a wage determination, they were to report this to the Commission which could approve or nullify or remit the subject to the same or a new wage board. If the Commission approved the determination, it was to issue an order, after public notice and public hearing on the question, declaring such wages to be the legal minimum for the occupation in question. After sixty days it was to be a misdemeanor for an employer to pay a wage less than the minimum.

The proposal embodied in the report of 1912 was too radical for conservative Massachusetts legislators, hence the following plan was adopted. A Commission was established with the power to organize wage boards in any industry in which wages of women seem insufficient to supply the necessary cost of living and to support them in health. The Commission has power simply to recommend the wage scale determined by the board and to publish in at least four newspapers in each country the names of employers who fail to comply with the recommendation. An employer, who files a declaration under oath in the Supreme, Judicial, or Superior Court to the effect that compliance with the wage schedule of the Commission will endanger the prosperity of his business, and may procure exemption from compliance with the wage scale. This

measure was considered so harmless and ineffectual by opponents of a living wage, that it was passed with almost no opposition and went into effect July 1, 1912.

The Minimum Wage Board system has not passed as yet the first stage in the United States,- that is the period of argumentation. The difficulties in the way of administration are great and to the skeptical seem unsurmountable. However, the sound arguments which can be urged in favor of the plan and its success in Australia seem to me to warrant its adoption in the United States.

There is yet another method of industrial reform to consider, one that has had a much more extensive history in the United States than the Minimum Wage Board system. Trade Unions have existed nearly as long among women in this country as among men. It is necessary to see what they have accomplished for the betterment of conditions among working women.

C. Women in Trade Unions.

It is natural to judge to a large extent the value and efficiency of any organization by what it has done in the past. For that reason, a brief outline of the history of Trade Unionism among women workers is given here.

The history of women in trade unions may be divided conveniently into five periods:- (1). The beginnings of organizations, extending from 1825 to about 1840; (2) the development of associations interested in labor reform, including the beginnings of legislative activity, 1840-1860; (3) the sustained development of pure trade unions 1860-1880; (4) the impress and educative

influence of the Knights of Labor, 1881 to the present; (5) present development under the predominant leadership of the American Federation of Labor.

1. 1825-1840. The first women unionists were native Americans in the cotton mills of New England. Two strikes occurred at Dover, New Hampshire, in 1828 and 1834. The problems were similar to present day ones, and involved wages, hours and conditions of labor. The tactics used are familiar to unionists today,- organized resistance, street parades, protest meetings, placards, and widely published resolutions. There were other strikes of cotton mill girls in Lowell, Massachusetts, Paterson, New Jersey, Philadelphia Pennsylvania. The tailoresses and seamstresses also formed numerous societies and organized strikes in New York, Philadelphia, and Baltimore. The shoe workers of New York, Philadelphia and Lynn formed unions of some importance but they were not permanent. The organization of women workers in this early period was experimental and trade-union activity was not sustained for any great length of time.

2. 1840-1860. During the second period, various labor reform associations were organized, composed chiefly of textile mill girls, but including also representatives of the cap makers, shoe makers, and tailoressess and seamstresses. These associations were largely educational. They were the natural outgrowth of the spirit of humanitarianism which characterized this period of American history. They organized a number of successful strikes, increased wages, shortened the work day and were successful in agitating for protective legislation. Unions of this type were

formed in Lowell, Manchester, Dover, Fall River, and New York. They marked the height of organization among cotton-mill girls. Lowell was the center of this organized activity.

3. 1860-1880. In the third period the organization of working women was principally among the cigar makers, tailoresses seamstresses, umbrella sewers, cap makers, textile workers, printers, furnishers, laundresses and shoe makers. Although there were during this period thirty national trade unions, women were admitted to but two of them, namely, the international unions of printers and of cigar makers. A national trade union for women only was formed by the women shoe makers. Other genuine trade union organizations of women bent on improvement in wages, hours and factory conditions were confined to local unions of the various trades. The general organizations of labor which admitted women to membership were the National Labor Union, The International Workingmen's Association and the Eight Hour Leagues. In common with practically all of the trade unions, these organizations of women disappeared at the coming of the industrial depression of 1873.

4. 1880-present. During this period, women were encouraged by the Knights of Labor to ally themselves with the labor movement on an equal footing with men. This was the first time in American labor history that women's unions were so encouraged. The number of women's local assemblies under the Knights of Labor increased from 1881 to 1886 when twenty-seven locals were added in a single month. Then the decline set in and during the next half dozen years the whole strength of women's unionism under

the Knights of Labor disappeared.

Certain conclusions are inevitable regarding the unionism of women in industry during these four periods.

(a). Women's unions, until the last generation at least, have been ephemeral in character. They have usually been organized at the time of strikes and have disappeared with the settlement of the industrial dispute which caused their origin.

(b). Women's unions, to a greater degree than those of men, have been developed and influenced by leadership from without the ranks of wage-earners. External leadership has often been necessary in furnishing initial direction and financial support, until a sense of independence and understanding of personal rights enabled the women wage-earners to act together on their own account. However, external leadership has often worked injury to trade union women by drawing them away from plans for immediate advantage to less tangible schemes for universal reform.

(c). Besides the common obstacles known to the organizer of male wage-earners such as short-sighted individual self-interest, ignorance, poverty, indifference, and lack of cooperative training, there is another serious problem in the organization of women laborers. When a man marries, he becomes even more definitely attached to his trade and the union. Women on the contrary usually drop out of a trade and a union when they become married. This fact causes constant change in the membership of women's unions.

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In spite of this serious obstacle, women in trade unions have won occasional strikes for a shorter work day, have maintain-

ed and even raised wages at times, and have brought about some improvements in conditions of labor. Their greatest success, however, has not been through the agency of a strike but has been rather in the direction of a united stand for protective legislation. In this campaign, trade unions of women have been very effective agencies for educating and organizing working women.

5. From the organization of the American Federation of Labor to the present.

The United States Labor Bureau investigation of 1908-10 brought to light the fact only 7.7% of all the women employed in specified trades were trade unionists. Amongst these members of trade unions, the greatest numbers are in New York and Massachusetts. However, this percent does not measure the influence of trade unions among working women. At the time of any occasion for a strike, the membership of a trade union is likely to increase by thousands in a few days, and after the strike is over, membership again declines. However, it is a fact that women are not extensively organized and that interest in organization is less among women than men.

The chief reason for this lack of extensive organization is the one I mentioned before, - the temporary character of the average woman's industrial experience. As a result, women in general do not take as much interest as men in economic and industrial problems. Home and social interests absorb more of their attention. In the second place, the temporary character of women's work makes women as a class more willing to accept low wages, and to endure the worst of conditions, since they

consider that such conditions are of limited duration for them. As a third effect, women are little interested in unions unless they see in them some immediate advantage. The benefits of trade unions are likely to come slowly; for it takes time to devise and test systems of benefit, to accumulate funds and to develop strong effective organizations. Hence many women's unions come to a speedy termination or a great decrease in membership because of failure to make an immediate success. Singularly enough, an immediate success is likely to cause the same result of decline in organization because the working women having gained their point see no further need of organization. Some labor leaders amongst women use this principle systematically. At a time of special crisis or when trade conditions seem favorable for the winning of some concession, leaders build up a large temporary union membership which declines when the crisis is past. Another obstacle to permanent trade unionism among women is the comparative youth of the great majority of women workers. Most of these are under twenty-five years of age and are unwilling to subordinate the welfare of the future to that of the present. Another and important hindrance is the opposition of employers to the organization of women and employees. Frequently unorganized women are an employer's main reliance in keeping expenditures low, hence his objection to their organization. In view of these circumstances it is perhaps not surprising that unionism among women has progessed slowly and is not widely developed. However some of the difficulties are those characteristic of the initial stages of organization and may be overcome. It is a significant

fact that leaders in men's unions seem to have more faith than formerly in women's unions and secretaries of men's unions are helping in the organization of women where opportunity offers.

The comparatively recent organization and development of "The National Women's Trade Union League of America" mark an advance of no slight importance in trade unionism among women. This League has the endorsement of the American Federation of Labor, and its well-defined platform and excellent magazine "Life and Labor" indicate that the League has efficient and sane leaders.

The platform of the League comprises five goals toward which women unionists are striving. They are (a) The organization of all workers into trade unions (b) Equal pay for equal work (c) Eight-hour day (d) A minimum wage scale (e) Full citizenship for women. The accomplishment of the first goal would remove what has been one of the chief weaknesses of women's unions in the past. The reasonableness of the second aim is obvious, and the social and economic effects of an eight-hour day and a minimum wage scale have already been discussed. As regards the fifth aim, full citizenship for women, it seems to me that this question is rather aside from the labor question and it is one which I shall not attempt to discuss in this paper. It is to be hoped, I think, for the welfare of the labor movement that the "National Women's Trade Union League" will continue to place greatest emphasis on the labor planks in their platform.

The nature, purpose, and work of the "National Women's Trade Union League of America" has been well set forth by Margery Dell

in the November issue for 1912 in "Life and Labor". The League recognizes organization into trade union as the remedy for low wages and long hours. The membership is made up of working girls, of "allies" or those who are not trade workers, and of trade unions and other organizations in sympathy. Various branches of the National League are organized in several cities. The work of the League is done by several national committees, which are duplicated in the local leagues. The chief committees are those on organization, legislation, judicial decisions, education, woman suffrage, union label, and fire prevention. The League recognizes the truth of the old adage, "In union there is strength", and greatest emphasis is laid on the first plank in the platform, the organization of all workers into trade unions. Good organization, it is believed, will accomplish the other ends sought. However, the other purposes are not neglected in the work of the League. Legislation Committees have been effective in bringing about important labor legislation, notably the ten hour law for women in Illinois. The Boston League was instrumental in the establishment of a Minimum Wage Commission in Massachusetts. The New York League has been active in agitating for measures of fire protection. The committee on judicial decisions takes note of court decisions in the industrial world, especially those effecting women, and disseminates this information through the local leagues and the magazine of the National League. Interesting bulletins, leaflets, and pamphlets having to do with all departments of the activities of the League are published and distributed under the direction of the committee

on education. Some of the local branches extend this educational work by providing circulating libraries for the use of the members.

These three methods of industrial reform exhibit in operation various kinds and degrees of efficiency. It remains to compare the three methods with a view to determining their relative value.

IV.

A Comparison of the Efficiency of the Three Methods of Reform Suggested.

Each of the three methods of inductrial reform suggested, direct legislation, indirect legislation or the minimum wage board system, and trade unionism, has advantages and disadvantages. Since the use of no one of these methods necessarily excludes the use of the others, all might be used together for the welfare of working women and of the nation.

The chief advantages of direct legislation lie in the universal character of laws, their permanency, and the possibilities of effective enforcement. In general, such labor laws as have been passed apply to all industries within the state. Some few exemptions have been made and are to be deplored but there is comparatively little precedent for discrimination among industries in labor legislation. A gain made for working women by legislation is a permanent one. When a law has been passed, the enforcement of it is in the hands of the government, and the necessity of striving to maintain what has been gained does not rest upon the workers as is often the case when a gain has been made by the strike. While there is much room for criticism of the enforcement of existing labor laws, yet the possibilities of effective execution of enforceable laws are inherent in good government.

On the other hand, it may be said that legislation is slow and unwieldy in response to the needs of laborers. This has been partly due to the ignorance of legislators in regard to

labor conditions. The reason for such ignorance has been removed to a large extent by the Report of United States Bureau of Labor on the "Conditions of Women and Child Laborers in the United States," and is being removed by the statistics which are being gathered constantly by various organizations in regard to both labor and a living wage. Yet even with this mass of information at hand, it is unlikely that the average legislator will have the time or the expert ability to gleam from so much data the essential facts. Other hindrances to labor reform by legislation are the natural conservatism of most of our legislatures and opposition of employers and moneyed interests. Pressure of public opinion and more honest government are the necessary remedies here.

Another difficulty in labor legislation has been and is, to some extent, the technicalities of law. As I have pointed out, the Oregon Case marked a great advance and it is to be hoped that this precedent will lead to more serious consideration of the human issues at stake and to a decreasing emphasis on technicalities in future cases. The creation recently of a separate Department of Labor in the United States government promises at least more serious consideration of labor questions. Moreover, if the principles in regard to labor laid down by President Wilson in his recent inaugural address govern labor legislation and judicial decisions during his administration, great improvements should be begun in social and industrial conditions. President Wilson spoke as follows with regard to the attitude of the government towards labor:-

"Nor have we studied and perfected the means by which

government may be put to the service of humanity in safeguarding the health of the Nation, the health of its men and its women and its children, as well as their rights in the struggle for existence. This is no sentimental duty. The firm basis of government is justice, not pity. These are matters of justice. There can be no equality of opportunity, the first essential of justice in the body politic, if men and women and children be not shielded in their lives, their very vitality, from the consequences of great industrial and social processes which they cannot alter, control, or singly cope with. Society must see to it that it does not crush or weaken or damage its own constituent parts. The first duty of the law is to keep sound the society it serves. Sanitary laws, pure food laws, and laws determining conditions of labor which individuals are powerless to determine for themselves are intimate parts of the very business of justice and legal efficiency."

Indirect legislation or the establishment of Minimum Wage Boards with sufficient power has most of the advantages of direct legislation and offers a solution of one of the serious obstacles in the way of direct legislation,- namely, ignorance of labor conditions and of existing needs. Doubtless the men chosen to serve on these wage boards would be those most intelligent on the questions at issue. The decisions of Minimum Wage Boards, however, have been operative thus far for special inductries. Hence this form of indirect legislation lacks the universal character of direct legislation. Where particular investigation is needed for intelligent legislation, the work of such boards might be extended, as was suggested in the discussion of English Trade Boards,

to include questions of hours and conditions of labor. The limited experience which the United States has had with the Minimum Wage Board system prevents definite conclusions with regard to its efficiency in this country. However, the success of the system in Australia and to a more limited extent in England together with the arguments which can be urged in favor of the system seem to me to warrant the introduction of this method of labor reform in the United States.

The chief hindrances to the efficiency of Women's Trade Unions have been set forth already at length. More than this, even where the unions are successful in gaining advantages, these gains are sectional and not universal. However, I do not wish to discount the value of even slight advantages for laborers. Trade Unions seem to me to render their greatest service to working women by educating them to a knowledge of the conditions of their trade and of how to best help themselves. Trade Unions can be instrumental also in educating the public conscience to a realization of existing evils by giving publicity to them and thereby compelling the attention of legislators to a consideration of these evils.

From this consideration of the efficiency of these three methods of industrial reform, it is evident that each has certain particular advantages and that all are necessary is a wide spread improvement is made in labor conditions. Without the coöperation of the workers themselves, direct and indirect legislation would accomplich little. Coöperation of laborers is gained when laborers have been educated to a realization of their needs, to a knowledge of the conditions of their trade, and to a sense of independence

of the conditions of their trade, and to a sense of independence and power through organization. These things trade unionism may accomplish. Trade unions may be effective also in educating the public and legislators to a knowledge of the necessity for reforms and in promoting labor legislation. Moreover, trade unions by united effort may effect certain definite gains for large numbers of laborers. The chief value of the Minimum Wage Board System is in its provision for the intelligent investigation of existing conditions of labor and of the cost of living. Reform in all the industries, however, where women are employed calls for direct legislation unless indirect legislation be made very extensive. The most effective kind of direct legislation would be that of the national government rather than that of a state government. Reforms by direct and indirect legislation alike have the advantages of permanency and of the possibilities of effective execution. Each of these three methods of reform, then, should be used in the solution of the labor problems of wage-earning women.

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